

**MINUTES OF THE
COMMISSION FOR THE STEWARDSHIP OF PUBLIC LANDS**
Wednesday, August 27, 2014 – 8:30 a.m. – Room 220 Senate Building

Members Present:

Sen. David P. Hinkins, Chair
Rep. Keven J. Stratton, Chair
Sen. Jim Dabakis
Sen. Scott K. Jenkins
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Ken Ivory
Rep. Michael E. Noel

Staff Present:

Mr. Leif G. Elder, Policy Analyst
Ms. Tiffany A. Stanley, Policy Analyst
Ms. Cathy J. Dupont, Associate General Counsel
Ms. RuthAnne Frost, Associate General Counsel
Mr. Tim Barber, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Welcome and Task Force Business

Chair Stratton called the meeting to order at 8:38 a.m.

Rep. Noel offered a prayer and Rep. Briscoe led those present in the Pledge of Allegiance.

2. Overview of Commission Duties

Ms. Dupont reviewed the duties of the commission as outlined in 2014 General Session H.B. 151, “Commission for the Stewardship of Public Lands,” and addressed questions from the commission regarding potential outcomes of the commission’s work.

3. Introductory Remarks

The chairs of the commission addressed their vision for the commission and perception of the issues concerning the stewardship of public lands.

Sen. Hinkins expressed that his interest in serving on the commission is due to the large amount of land in his district that is controlled federally and his hope is that the counties he represents can find a solution with the federal government that will benefit them more than the status quo.

Chair Stratton commented that the challenge of meeting the needs of a growing state is reason to explore more state management of public lands to potentially bring in more revenue. He stated his hope that the work of the commission will be nonpartisan and appeal to many groups and organizations who care about Utah’s land.

4. Stakeholder Reports and Updates

Mr. Fred Ferguson, Chief of Staff for Congressman Jason Chaffetz, reported on the work being undertaken by Congressman Chaffetz regarding public lands in Utah. Mr. Ferguson discussed the best processes to help Utah gain more control over federal land in the state, including educating fellow members of Congress, encouraging negotiations with the counties and federal officials, partnering with other states, and working with conservation organizations.

Mr. Ferguson answered questions from the committee regarding the general feelings of Congress toward public lands policy, the possibility of executive action, and options other than litigation for pursuing greater state control of federal lands.

Mr. Casey Snider, Legislative Assistant to Congressman Rob Bishop, outlined Congressman Bishop's public lands initiative, which seeks to engage local individuals and stakeholders to identify problems that can only be solved by federal legislation and to develop a plan going forward. He also mentioned the work of seven Utah counties in identifying potential lands for development and wilderness designation which Congressman Bishop sees as the best compromise moving forward in negotiating with federal officials.

Attorney General Sean Reyes and Mr. Tony Rampton, Assistant Attorney General, briefed the commission on the process their office has outlined regarding potential litigation in relation to public lands. Attorney General Reyes shared his belief that litigation in this matter likely has one opportunity to be successful and if that litigation fails, it could inhibit the goal of obtaining a transfer of public lands.

Attorney General Reyes responded to questions from the commission regarding how the commission can be an effective partner in any litigation going forward, and the costs of any litigation thus far.

Rep. Ivory noted the importance of General Session 1915 Senate Joint Memorial Number Four and how it relates to the current public lands debate.

Mr. Brian Steed, Chief of Staff for Congressman Chris Stewart reported on Congressman Stewart's work to secure Payment in Lieu of Taxes (PILT) funds in the federal budget from his position on the House Committee on Appropriations, and adverse effects of federal management and regulation of public lands in Congressman Stewart's district.

Mr. Cody Stewart, Energy Advisor to Governor Gary Herbert briefed the commission on a recent meeting of stakeholders that the governor held. Mr. Stewart outlined the principles that were discussed as a potential path forward to seek a transfer of public lands. Mr. Stewart also recommended the works of two writers on the subject of public lands: Daniel Kemmis and Dr. Robert H. Nelson.

Mr. Mark Ward, Senior Policy Analyst and General Counsel for the Utah Association of Counties, commented that the counties would like to see the deadline from 2012 General Session H.B. 148 "Transfer of Public Lands Act and Related Study" extended as well as some changes in the bill's provisions regarding Congress. He also recommended several legislative solutions to address criticism that the state does not have the financial ability or statutory framework to manage and protect public lands.

Ms. Kathleen Clarke, Coordinator, Public Lands Policy Coordinating Office, expressed her desire for the commission to have an opportunity to meet with the researchers in her office.

Chair Stratton commented that the remainder of Ms. Clarke's presentation will take place during the next meeting of the commission.

MOTION: Rep. Brown moved to create a litigation working group to determine the best way to pursue litigation. The motion passed unanimously.

5. Other Commission Business/Adjourn

MOTION: Sen. Jenkins moved to adjourn the meeting. The motion passed unanimously.

Chair Stratton adjourned the meeting at 12:16 p.m.